

commissioners," in line three of the same, and inserting in lieu thereof "township trustees of said township."

SEC. 17. That section twenty-nine of said chapter and act be and the same is hereby repealed, and the following substituted in lieu thereof: "whenever any person desires to change a road from one part of his land to another part, he shall file his petition in writing with the board of road trustees of that township in which the road to be changed is situated, setting forth the proper change, who in their discretion may appoint two disinterested freeholders who, together with the road overseer of said road, shall go and view said proposed change, and they may permit said change to be made upon such terms and conditions as to them may seem best, and when said change has been made upon a reasonable grade they shall make their report to the board of road trustees of said township, who shall confirm same if the terms and conditions of said change have been complied with."

Petition for change of road.

Procedure for change.

Report to trustees.

SEC. 18. That section thirty-seven of said chapter and act be and the same is hereby repealed, and the following enacted in lieu thereof: "That no person subject to road duty under the provisions of this act shall be excused from same; but the justices of the peace shall be given credit on their road time by their respective road overseers for each day they are engaged in electing the road trustees of their respective townships, or other duties performed by them in respect to the public roads of their townships; that the road trustees of their respective townships shall also have credit on their road dues for the number of days actually performed by each of said road trustees, to be allowed said trustees by their respective overseers; that the overseers of the several townships in said county shall be paid one dollar per day for each day actually engaged in the performance of his duties over and above the time he is required to work under the provisions of this act; that the road trustees of the several townships shall have a like compensation, with the above exception."

No exemption from road duty. Credits on road time.

Pay of overseers.

Pay of road trustees.

SEC. 19. That the following sections shall be and the same are hereby added at the end of said chapter two hundred and eighty-six of the Public Laws of one thousand eight hundred and ninety-nine, to wit:

SEC. 44. Any person through whose lands any public road runs in Ashe County may file his petition with the board of road trustees of the township in which said road is situated, praying that he may be allowed to keep up and in repair the public road that runs through his said land in lieu of the road duties he is required to perform, and setting forth his reasons therefor, and said board of trustees, after notice to the overseer of said road, may in their discretion make an order allowing said petitioner to do so, under such restrictions and upon such terms as to them may seem just: said order may be subsequently revoked upon petition filed by the overseer of said road, after notice to the original petitioner or the owner of the land through which said road runs.

Petition for exchange of road duty.